

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 7066

BILL NUMBER: SB 301

DATE PREPARED: Jan 22, 2002

BILL AMENDED:

SUBJECT: Domesticated Deer Farms.

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FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill provides procedures for the State Board of Animal Health to issue permits to operate a cervidae livestock facility to persons who meet certain requirements. The bill requires a cervidae livestock facility to be inspected and wild and free ranging cervidae to be removed from the facility before a permit is approved. It provides for penalties.

Effective Date: July 1, 2002.

Explanation of State Expenditures: (Revised) The State Board of Animal Health will require additional resources to print forms, communicate with permits and applicants (phone and mail costs), maintain records of permits, prepare permits, and monitor funds submitted. Inspection of the facilities will require additional time from field staff, possibly substantial time, and additional equipment. Field inspections will require travel which will increase the agency's costs for gas, vehicle maintenance, vehicle depreciation, and related travel costs. There will be costs to train agency personnel (time, travel, materials, etc.). The rulemakings required by this bill will take substantial staff time and resources to research and prepare and more resources to communicate to the regulated entities and the general public.

Currently, the Board has a staff of 8 veterinarians and six non-vets who primarily inspect about 120 slaughter establishments. The proposal could add an additional 240 inspections if the 240 licensed game breeders with deer apply. Additionally, staff would need to inspect the applicant's facilities within 30 days of notification that the facility is ready to be inspected.

Non-personnel costs are estimated at \$14,000 annually. If additional personnel are needed, costs would be higher.

The Department of Natural Resources could also incur additional expenses if cervidae livestock facilities contribute to conditions that lead to the spread of disease or weakening of the genetic make-up of wild deer populations.

Explanation of State Revenues: (Revised) The Board must establish fees for cervidae livestock facilities. The fee for a small operation that is not commercial is \$50. Fees may not exceed \$500. Fees are paid with the application for permit. The permit expires three years after the date of issuance. The revenue generated by this provision will depend on the number of applicants for licensure. Revenues would be deposited in the Board's general operating account. There are 240 licensed game breeders with deer in the state. If all 240 applied for a permit at \$50, an estimated \$4,000 would be generated annually ($\$50 * 240 / 3 \text{ years}$). If fewer applied, revenues could be less.

Persons who violate provisions of the bill commit a Class B infraction. If additional court cases occur, revenue to the State General Fund may increase if infraction judgments and court fees are collected. The maximum judgment for a Class B infraction is \$1,000 which is deposited in the State General Fund. If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed. 70% of the court fee would be deposited in the State General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

Explanation of Local Expenditures:

Explanation of Local Revenues: If additional court actions are filed and a judgment is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected: Department of Natural Resources and the State Board of Animal Health.

Local Agencies Affected: Trial courts, local law enforcement agencies, and counties.

Information Sources: Gary L. Haynes, Director of Legal Affairs, Indiana State Board of Animal Health, 805 Beachway Drive, Suite 50, Indianapolis, IN 46224, (317)-227-0345; John Baugh, and Ralph Gann, Purdue University; Dan Mathis, Department of Natural Resources.